IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. Civil Second Appeal No.141 of 2000

Sukh Dev Prasad Mathur (Since deceased) through his LRS., Shakuntala Mathur & Others
Versus
Sushil Jain & Others.

Date of Order ::: 28/11/2006

Hon'ble Mr. Narendra Kumar Jain, J.

Mr. R.K. Mathur and
Ms. Shilpi Gupta, Counsel for plaintiff-appellants.
Mr. Reashm Bhargava, Counsel for defendant-respondents

By the Court :

Heard learned counsel for both the parties.

The plaintiff-appellants filed a suit for permanent injunction in the Lower Court, which was dismissed. The judgment and decree passed by the Lower Court has been affirmed by the First Appellate Court also.

I have heard learned counsel for both the

parties and after considering their submissions, I find that the controversial issues involved in the present case are relating to the question of facts and there is a concurrent finding of the fact recorded by both the Courts below, which cannot be interfered with by this Court in second appeal under Section 100 of the C.P.C.

No substantial question of law is involved in this second appeal and the same is accordingly dismissed at the admission stage itself with no order as to costs.

(Narendra Kumar Jain) J.